

Application No. 09/858,438

REMARKS

Claims 1-30 are pending.

Claims 1, 27, and 28, the three independent claims, are amended.

Claims 1-30 are rejected.

Claims 1-30 are rejected under 35 USC § 102(b), as being anticipated by Marlin et al. (U.S. Patent 5,778,377). In response, Applicants acknowledge the Second Office Action's admonition that "although claims are interpreted in light of the specification, limitations from the specification are not read into the claims." Accordingly, Claims 1 and 27 have been amended to make specific that "job segments" described in these claims are segments of a job sized to conform the specific capability and constraints of a selected finishing device. By clarifying this aspect of "job segment", Claims 1 and 27 become clearly differentiated from the teachings of the '377 patent.

Specifically, the Second Office Action suggests that the '377 descriptions of "object classes", "mail job objects" and mail piece objects" conform roughly to Applicant's definitions of "job", "job segments", "document components", respectively. As used in the '377 patent, however, nothing links these terms (or any other terms or concepts) to the concept of dividing a job into portions according to capabilities and constraints of finishing equipment. Indeed, as used in column 11, lines 1-14, a "mail job object" is exemplified as a listing of accounts to which mailings will occur. (The "manageable segment" language of the '377 thus refers *not* to management of the print or finishing job but to the numbering of packets to be assembled, mailed, and perhaps billed. Similarly, "mail piece object" is described as "a specific set of pages that go into a particular envelope." Lines 11-13. Such definition is entirely unrelated to how the pages are created, finished and assembled.

In sum, throughout the '377 patent, no example is found for breaking a finishing job into job segments sized to conform to the constraints and capabilities of

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available equipment. Indeed, except for the above quoted "manageable segment" phrase (which refers to managing accounts rather than to managing equipment), nothing in the '377 teaches or discloses a method or database for managing a finishing job. As explained in Applicants' response to the first Office Action, one would not expect the '377 patent to teach job segmentation as required in Claims 1 and 27 since the focus of the '377 patent is related to job tracking, reporting, and GUI presentation rather than job planning and implementation but rather.

Accordingly, the '377 patent cannot support a rejection of claims 1 and 27 under 35 U.S.C. 102(b). Claims 1 and 27, and all claims dependent from Claims 1 and 27 are accordingly allowable.

In respect to rejection of Claim 28, the Second Office Action cites to several places in the '377 patent and in the Large Mailing Operations Standards Specification Version 1.0 where information concerning finishing instructions are stored. In effect, such storage of finishing information is entirely conventional and corresponds to recording of manual set-up and process path information found in conventional print shops. The present invention, however, focuses upon *automating* the set-up and process flow decision making process. Accordingly, Claim 28 has been amended to make the focus upon automation more clear. Nothing in the '377 patent teaches or describes control data useful for automated instruction of a finishing device. Accordingly, the '377 patent cannot support rejection of Claim 28 nor the claims dependent from Claim 28.

With respect to Claims 29 and 30 (already allowable as depending from Claim 28), the Second Office Action refers to the Large Mailing Operations Standards Specifications, Version 1.0, without specific citation, for the proposition that data in the Large Mail Room system is "hierarchical." Applicants have been unable to identify any hierarchical database structure (claim 29) from such document, nor any ability to reassemble an entire virtual finishing job ticket from information provided by a single job segment identifier (claim 30). Indeed the most applicable description of the Large

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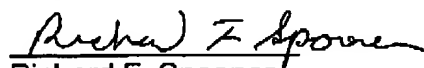
Mailroom database appears in conjunction with Figure 4 on page 8. There, no hierarchical arrangement is shown. Instead, components are arranged horizontally much in accordance with the table and array format disclosed in the '377 patent. See the logic tree of '377 Figures 10A and Figure 10B. As discussed in the '377 text at column 17, lines 1-26, Figures 10A and 10B are geared to pulling data from a database one component at a time in order to assemble a status report. The process described is "horizontal" rather than "hierarchical" since each component is pulled independently of the others in an iterative process rather than being pulled sequentially in a hierarchical "bore down" process. For similar reasons, Claims 7, 8, 9, 12, 20, and 21 are also allowable.

In sum, each of independent claims 1, 27, and 28 are believed to be in allowable form and, accordingly, each dependent claim is allowable. A few specific independent claims have been discussed in order to emphasize the differences between the present invention and the '377 disclosure.

The application and claims are believed to be in a condition for allowance in their present form and which allowance is respectfully requested.

In the event the Examiner considers personal contact advantageous to the disposition of this case, the Examiner is hereby authorized to call Applicant's Attorney, Richard Spooner, at Telephone Number (585) 423-5324, Rochester, New York.

Respectfully submitted,



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